**S.B. Civil Writ Petition NO.1273/2005**

**Amrit Lal**

**vs**

**LRs of Mitha Lal & Ors.**

**DATE OF ORDER** : - 25.4.2005.

**HON'BLE MR. PRAKASH TATIA,J.**

Mr.SG Ojha, for the petitioner.

**<><><>**

Heard learned counsel for the petitioner.

After going through the facts of the case and in view of the reasons given in the application filed by the petitioner for not remaining present in court on particular date, the trial court has passed the order against the petitioner and whether there was sufficient cause for absence of the petitioner at relevant time can well be examined in the light of the record of the trial court and in the facts of this case by the appellate court in case, the petitioner feels aggrieved even after the decision of the trial court in the main suit, this court is not inclined to entertain the writ petition to examine whether there was sufficient cause for absence of the defendants before the trial court or not and whether any indulgence should be granted to the petitioner or not.

In view of the above, the writ petition of the petitioner is dismissed with liberty to the petitioner to take the ground before the appellate court in case any occasion arises for the petitioner for doing so.

**(Prakash Tatia), J.**

c.p.goyal/-